DOCUMENT RESUME

ED 294 772 SO 018 247

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TITLE Becoming a U.S. Citizen: Lessons on Naturalization.
INSTITUTION American Newspaper Publishers Association, Washington, D.C.
PUB DATE Apr 87
NOTE 12p.
PUB TYPE Guides - Classroom Use - Materials (For Learner) (051) -- Guides - Classroom Use - Guides (For Teachers) (052)

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS Citizen Role; *Citizenship; *Citizenship Education; Citizenship Responsibility; Civics; *Immigrants; Instructional Materials; Law Related Education; Learning Activities; Learning Modules; Secondary Education; Social Studies; United States Government (Course); United States History
IDENTIFIERS *Immigration and Naturalization Service; Naturalization Programs

ABSTRACT

This unit, through a series of learning activities, is designed to give students a sense of what it means to seek U.S. citizenship. The first activity is created to help students understand the Naturalization Examination process by role-playing the examination and through creating their own examination for citizenship. The Oath of United States Citizenship is studied through group discussions of citizenship requirements and a discussion of the commitment inherent in citizenship. The Immigration and Naturalization Service (INS) criteria for citizenship are explored by presenting students with various law-related situations and having them decide if an individual qualifies for citizenship. A follow-up activity is designed for study of the 1986 legislation that allowed illegal immigrants who have been in the United States since 1982 to become citizens. (SM)

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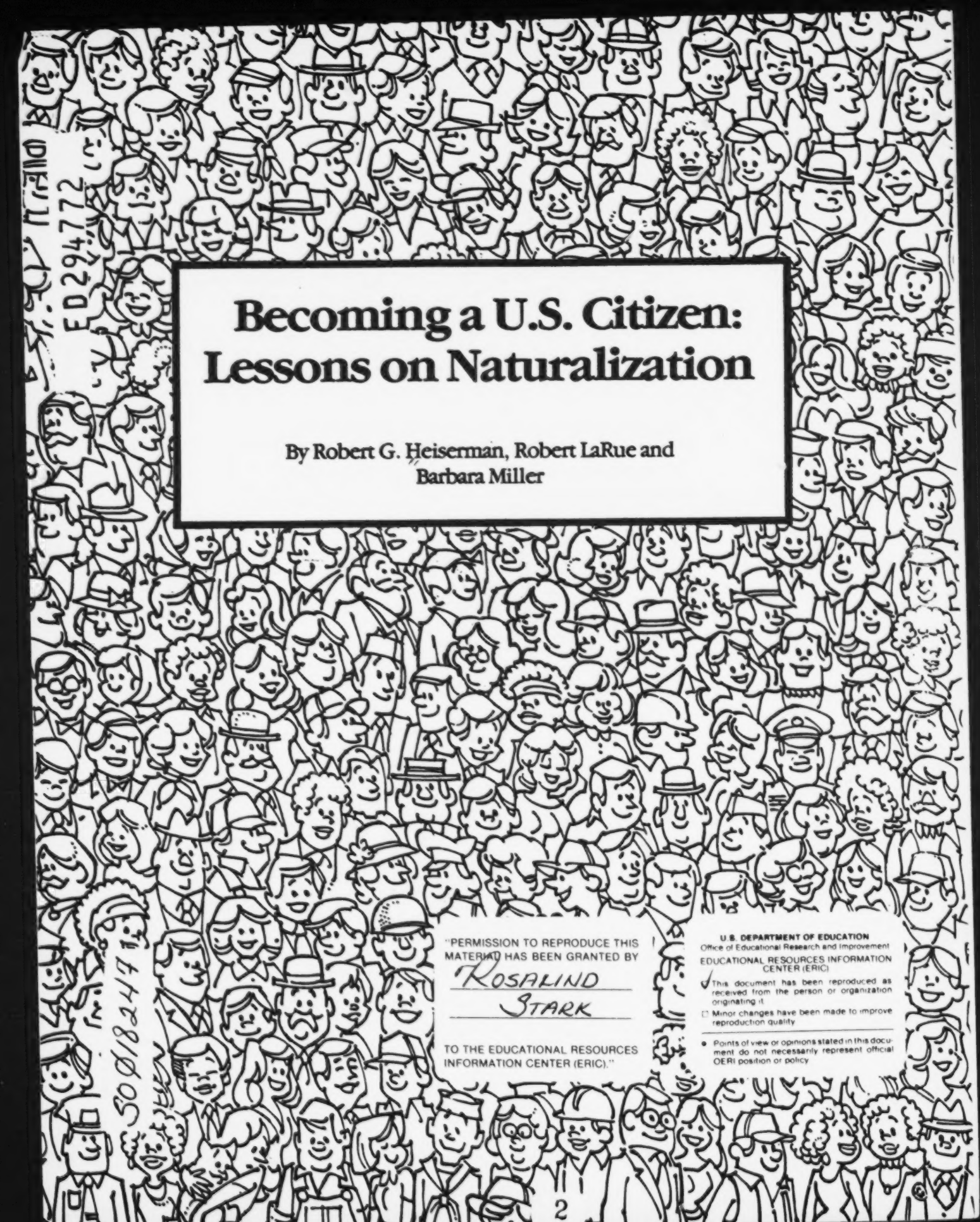

Becoming a U.S. Citizen: Lessons on Naturalization

By Robert G. Heiserman, Robert LaRue and Barbara Miller

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This curriculum unit is intended to give students a sense of what it means to seek U.S. citizenship for people who have not been born to the privilege. Teachers who wish to reproduce it for use with their students should feel free do so so.

Background: Citizenship through the ages

In the view of the ancient Greeks, citizens were people who had the right and duty to vote, attend assemblies, serve on juries and do military service. They weren't just residents of the city-state in which they lived, they were active, participating members of the government. Slaves and foreigners (aliens) who lived in ancient Greece had few rights, although aliens did have personal freedom and were protected under the law. Since citizenship was such a highly esteemed privilege, foreigners were only rarely allowed to become citizens.

Ancient Rome had two classes of citizens: one had basic citizenship rights, including voting; the others were additionally allowed to hold office. Roman citizenship was generally acquired at birth, but there was a special process by which foreigners could become naturalized Roman citizens. The Romans extended citizenship rights as their empire expanded.

After the decline of the Roman empire, the idea of citizenship declined as well. In the feudal society, a serf's allegiance was directly to the person of the manor lord, and the lord owed service to the king. Even when powerful national governments evolved, people were still subjects of the king.

With time, governments moved toward democracy. The idea of citizenship re-emerged, and people were once again citizens, owing their allegiance to the state, not to a person.

The idea of expatriation, or voluntarily giving up allegiance to one country for that of another, became accepted in the 1800s. Before then, people generally retained citizenship in the land of their birth, no matter where they lived or moved. There was no provision for changing nationality in a formal manner, other than starting and winning a revolution against the mother country.

Becoming a citizen of the United States

In the United States, Congress first passed a law giving certain courts the right to grant citizenship to aliens in 1790. At first, only "free white persons" were allowed to be naturalized. Blacks became eligible in 1870. Congress established the Bureau of Immigration and Naturalization in 1906. After 1922, women were allowed to be naturalized separately from their husbands. American Indians were granted the right to be naturalized in 1940, Chinese persons in 1943 and those from India and the Philippines in 1946. Racial bars to naturalization were removed by the Immigration and Nationality Act of 1952. This act combined all the laws then relating to citizenship and naturalization and is the law that governs present naturalization procedures.

The U.S. Constitution gives Congress the power to make laws concerning immigration and naturalization. The law is administered by the Justice Department, through the Immigration and Naturalization Service (INS). It is the INS that conducts preliminary investigations of petitioners for citizenship. The INS makes recommendations to U.S. and state district courts, which have the power to grant or deny citizenship.

An applicant for naturalization must meet eight requirements:

1. The applicant must be at least 18 years old.
2. The applicant must be a lawful permanent resident of the United States.
3. Applicants must reside in the U.S. continuously as a lawful permanent resident for five years before filing a naturalization petition.
4. Applicants must demonstrate that they are of good moral character during the required residence period.
5. Applicants cannot have willingly been a member of the Communist Party or any other organization that advocates the overthrow of governments by force, especially the U.S. government, for a 10-year period before petition for naturalization is made.
6. Applicants who are deserters from the U.S. armed forces or who applied for or were discharged from the U.S. armed forces on the ground of alienage are permanently barred from naturalization.

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7. Applicants must be able to speak, read, write and understand simple English, and pass an examination showing some knowledge of U.S. history and government. An exemption from the literacy test is available to persons over 50 who have been legal permanent residents for 20 years.

8. Applicants must take an oath of allegiance to the United States.

Some basic requirements can be waived or changed for special classes of applicants, e.g., alien spouses of U.S. citizens; children of U.S. citizens who were not citizens at birth; surviving spouses of U.S. citizen servicemen or veterans; seamen on U.S. vessels, and employees of organizations promoting U.S. interests abroad.

The first step in the naturalization procedure is for the eligible permanent resident to file an application to petition for naturalization, which includes details of the applicant's last five years of permanent U.S. residence and his or her lawful admission to the U.S. Additionally, an applicant files pictures, fingerprints and biographical data. After the application is filed in the INS office having jurisdiction, a preliminary examination is scheduled. The INS reviews the application, does background checks and prepares the petition. Average time between filing and examination is two to four months, but can be longer in large volume offices such as Miami, Los Angeles, New York and Chicago.

Applicants who do not know English need to learn the language for their examinations. They also must pass a test in U.S. history and government. Formal classes or a self-directed program can be used to study for the examinations. The INS provides information about books and services available from such sources as the Government Printing Office and the Daughters of the American Revolution.

The preliminary examination is an unstructured interview, under oath, before a designated immigration examiner. An attorney may accompany the applicant, but the attorney may not answer questions on the applicant's behalf.

The examiner thoroughly reviews the answers on the application and determines whether the applicant meets all the requirements to petition the court for naturalization. In the English exam, the applicant often is asked to write a simple sentence and to read a passage selected by the examiner. The test may be waived if the applicant appears to know English well.

The examiner asks questions about U.S. history and government, such as: Who wrote the national anthem and under what circumstances? What is the supreme law of the United States? How many senators and representatives represent this state in Congress and what are their names and party affiliations?

Applicants who need to improve their language skills, do further study of U.S. government or obtain additional documentation are generally given six months to do so. Examiners who believe that the deficiencies cannot be remedied in six months may suggest withdrawal of the petition, but the applicant may choose to file despite the examiners' recommendation.

Once the preliminary examination is complete, the examiner may recommend that the petition be granted. More than 95 percent of the petitions receive this recommendation. The examiner's recommendations generally are accepted by the court. However, applicants have the right to pursue their application before the court, even when the INS recommends against naturalization.

The final court hearing is the last step in the naturalization process for those applicants whose petitions have been recommended for grant. The volume of petitions handled in a particular court determines the frequency of final hearings. Some are held once a year, others every week. Petitions that have been recommended for denial, continuation or grant with further proceedings are generally docketed separately from recommendations for grant, and may take longer to reach final hearing.

The ceremony to grant citizenship may vary greatly, but it centers around the oath of allegiance to the U.S. taken by each petitioner. In most cases, the final order of the court granting naturalized citizenship is entered the same day as the final hearing, and the new citizens take their certificates home with them.

In general, naturalized citizens are accorded all the rights, duties and privileges of native-born U.S. citizens, except they may not hold the office of President or Vice President of the United Sates.

Most U.S. citizens are fortunate that they acquired citizenship through their birth, and did not have to prove themselves worthy of being citizens. All citizens might reflect on the naturalization requirements: applicants must be of good moral character; should speak, read and write English; know something about the history and government of the United States; and reaffirm allegiance to the Constitution and laws of the United States.

Lesson 1:

The Naturalization Examination

Overview:

Applicants for naturalization are examined by an officer of the Immigration and Naturalization Service (INS); most of the questioning is oral. Writing samples may be requested at the discretion of the examining officer. There are no specific questions that the officer must ask. The sample test provided here is probably more comprehensive—and more difficult—than many petitioners may experience. The questions are representative of common questions asked by the examiners.

To increase the difficulty of the naturalization test for students who are native-born Americans, the time limit for completion of the test can be set artificially low, perhaps to 10 minutes, while requiring answers to be in complete sentences.

Activities:

1. Distribute the naturalization test that follows. Announce that students must answer at least 30 questions correctly to pass. Read answers. How many in the class passed? Have students speculate on how many applicants pass the exam (95 percent). What conditions might favor immigrants over native Americans? Can an exam of factual detail really determine readiness for citizenship? How? What do students feel should be asked on such an exam?

2. Have students write up a similar exam, or use the same one and administer it to teachers in the building. After giving the exam, they should discuss the teachers' reactions to the exam and the results.

3. Have students write an exam for admission to citizenship in their state or school.

4. Role-play the examination process. Have students assume the roles of examiner, examinee and character witnesses. Provide the examiner with old history tests as a source of questions. The petitioner and the witnesses are to convince the examiner that good character and sincerity are as important as the right answers, in case some questions are missed.

Naturalization Test

Answer each of the following questions on American history and government to the best of your ability.

1. What is the supreme or fundamental law of the land?
2. When was the Constitution adopted?
3. Can the Constitution be changed? If so, how?
4. What are the most recent amendments to the Constitution?
5. What is the Bill of Rights?
6. What document declared the 13 colonies to be free and independent states?
7. Name seven of the original 13 colonies.
8. On what day do we celebrate our nation's birthday?
9. Name the war in which we won our independence from Great Britain.
10. Who was the great American general of this war?
11. Who was the first President of the United States?
12. Who holds the power in our government?
13. Who holds the highest office in our government? What are his duties?
14. How many terms of office can the President serve?
15. To what branch of government does the President belong?

16. Who is the President now?
17. Who was the President before him?
18. Who was one U.S. President assassinated while in office?
19. Has any President ever been impeached?
20. Who is the next highest officer? What are his duties?
21. Who is the Vice President now?
22. What are the three branches of the government?
23. What does the Congress do?
24. How many parts is Congress divided into?
25. Who are the Senators from your state?
26. How many Senators are there?
27. How many Representatives are there?
28. Who are your state's U.S. representatives?
29. What is the length of a Senator's term of office?
30. When the President vetoes a law Congress has made, how can that veto be overridden?
31. What form of government do we have?
32. What is the highest court in the United States?
33. How are Supreme Court Justices chosen? How many of them are there? How long do they serve? What are their duties?
34. Who discovered America?
35. What was the Civil War?
36. Who was President during the Civil War?
37. What is the Cabinet?
38. How many states are there in the U.S.? Which are the two newest states?
39. For what do the stars and stripes in our flag stand?
40. Who is the governor of your state?
41. What are the lawmaking bodies of your state called?
42. What can you do as a citizen that you cannot do as a resident alien?
43. What is the name of the national anthem? Who wrote it? Where was he when he wrote it?
44. Recite the first verse of the national anthem.
45. Recite the Pledge of Allegiance.

Lesson 2:

Taking a pledge: The Oath of United States Citizenship

Overview:

These suggestions for activities using the Oath of United States Citizenship (see page 6) are included to provide a range of ideas that can be adapted to suit your particular age group, school and community.

Activities:

1. Have students define key terms of the oath. This can be done either with the document in hand or before they have read it. Discuss the impact of the document's language on students and on potential new citizens.
2. Before showing students the oath, break them into groups and have each group draw up a list of criteria they feel prospective citizens must possess to become Americans. Have groups report and defend their criteria. After reporting, create a list of the most commonly mentioned criteria and have the groups write oaths of citizenship based on those criteria. Distribute copies of the official oath and compare it to student versions.
3. Discuss the importance of various commitments in each of our lives: family agreements; friendship agreements; military registration; licenses for various privileges—driving, radio broadcasting, flying etc.; minimum drinking age. Some of the commitments are more formal than others. What makes the difference? What is the role of ritual in making those commitments?
4. As an additional activity, you might read the book or show the movie "The Children's Story." What constitutes a commitment to citizenship?
5. Have students write their own oath. How did they personalize the oath?

Clavell, James. *The Children's Story . . . but not just for children.* New York: Dell Publishing Co. Inc., 1981. (Film version, 20 min., available from Telepictures Corp., 1 Dag Hammerskjold Plaza, New York, N.Y. 10017.)

Lesson 3:

Would You Sign This Document?

Overview:

Students can become aware of the gravity of the naturalization process by reading the oath for citizenship. Following a discussion of the oath, students are assigned the task of filling the exercise sheet with signatures of adults who agree to the conditions of the oath.

Procedures:

Read the oath to students or distribute copies. Discuss the oath with students and explore any reservations they might have in signing it. Indicate points where alternative wording is permitted. Make sure that students understand all the terms in the oath. Assign the task of returning in two days with as many adult signatures as possible. Students may want to work in pairs so that one person can act as persuader while the other records the reactions and comments of the signers and non-signers. Have students relate their experiences and the reactions they received.

I hereby declare, *on oath,* [or, I hereby solemnly affirm] that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; *that I will bear arms on behalf of the United States when required by law; that I will perform noncombatant service in the Armed Forces of the United States when required by law;* that I will perform work of national importance under civilian direction when required by law; and that I take this obligation freely without any mental reservation or purpose of evasion,*so help me God,* whereof I have hereunto affixed my signature.

Name	Name
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
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Italicized portions may be omitted or modified, as indicated, where religious objections prohibit swearing oaths or military service.

Lesson 4:

New Citizens?

1. Introduce the INS criteria listed on pages 1-2 and discuss.
2. Make decisions about the following 10 applications for naturalization.
3. Have groups of three reach consensus regarding which individuals to admit.
4. Ask the whole class to reach consensus.

Applying INS Criteria to Applicants

Below you will find 10 cases to study. You are to act as a representative of the Immigration and Naturalization Service (INS) and decide who should be recommended for American citizenship. You have the following options available:

A= Approve application and recommend that the court grant American citizenship.

D= Disapprove application and recommend that the court does not grant American citizenship.

P= Postpone the decision to approve/disapprove for six months.

The INS offices have been jammed with immigrants trying to become citizens. Nevertheless, you are to consider the facts of each application carefully, using the requirements for naturalization as your guide. Be prepared to defend your decisions.

A D P 1. Myron has met all the requirements for application. He speaks excellent English and answered the exam questions easily. In the interview, though, you discovered that his young son is very sick and Myron will not be able to afford the hospital bills. Myron drinks heavily.

A D P 2. James passed the exam with flying colors, but only after he was allowed to write down the answers. He cannot speak a word of English aloud.

A D P 3. William is articulate, intelligent and very politically active in his community. He wants to become a citizen so that he can become mayor and take over the same town where he lives.

A D P 4. During the interview Joe indicated that since he was an atheist he would be unwilling to take the oath of citizenship unless the words "so help me God" were eliminated.

A D P 5. Bob was a low ranking member of the Communist Party seven years ago in his native land. He claims that he joined because it was the only way to get a job to support his family.

A D P 6. Sank and his wife, Seak, are looking forward to becoming citizens together. Sank, however, did not do well on the exam and his application was rather sloppy.

A D P 7. Julie flatly refuses to perform any service connected with the military of any nation.

A D P 8. Adan was very uncomfortable during the exam. Before he answered each question he looked at his lawyer and seemed to make silent signs to him. Adan is extremely wealthy.

A D P 9. Kostas was a Nazi supporter during World War II.

A D P 10. Mikki is 50 and has lived here 19 years, but speaks no English.

Ongoing follow-up activity

After examining the history and current status of naturalization, students can maintain their interest in this subject by following news media reports on a new law adopted by Congress in the fall of 1986.

This law applies to people who can prove that they have been in the United States since January 1, 1982, without the permission of the U.S. government. The law says they now have a chance to become "legalized." They can later become citizens if they meet other requirements of the new law. All applicants for legalization will have to pass an examination on the government and history of the United States, as well as literacy requirements, similar to the test all new citizens must pass—or they must enroll in an approved school to learn these subjects. Procedures for putting this law into action will be decided by May 1987.

Will legalization provide a means for bringing these people into full participation in American society? The rules that govern the application of this law will affect how many of the several million people who have been illegal aliens since 1982 can actually become citizens. Have students examine and discuss the decisions that are made regarding implementation of the new law with the following questions and ideas in mind:

- What specific rules are established regarding who is eligible?
- How many people might apply for legalization?
- What roles are various groups (lawyers, businesses, schools, religious organizations, media, etc.) taking in this process? Are they helping or hindering it?
- What actions is the government taking in applying the legalization law? What effect do these actions have?
- What court decisions are affecting legalization?
- How is the process affecting the jobs and family situations of people potentially eligible for legalization?
- Will Congress amend the law if some parts of it prove to be unworkable?
- One purpose of the law is to gain control over U.S. borders. Will arrests at the border increase or decrease with additional border patrol officers? Is the new law succeeding in its purpose?

This is just one example of ways students can follow current events relating to U.S. citizenship. Encourage them to watch television and newspaper reports on a variety of unfolding events that will take place in coming years and will define just who becomes an American citizen.

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The Newspaper Center Box 17407 Dulles Airport
Washington, D.C. 20041
703/648-1000
April 1987